

**DECLARATION AND POWER OF ATTORNEY**

**DECLARATION:**

As the below-named sole inventor/inventors, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

The below named inventors are the sole inventors of the subject matter which is claimed and for which a patent is sought on the invention for "Methods for Treating Solid Tumors Using Neutron Therapy" the specification of which

X is attached hereto;

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.

I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATIONS**

Number	Country	Date Filed	Priority Claimed (Yes/No)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

**PRIOR UNITED STATES APPLICATIONS**

Application Serial Number	Filing Date	Status

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY**

On behalf of Isoton, Inc., Assignee of my entire right, title and interest, I hereby appoint the following attorney(s) and/or agent(s) with full power of substitution to act exclusively for **IsoTron, Inc.** to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:


**Barry N. Young (Reg. No. 27,774); Timothy W. Lohse (Reg. No. 35,255); David F. Kleinsmith (Reg. No. 40,050); Gregory P. Raymer (Reg. No. 36,647); Stephen E. Reiter (Reg. No. 31,192); Robroy R. Fawcett (Reg. No. 35,133); Steven R. Sprinkle (Reg. No. 40,825); William N. Hulsey III (Reg. No. 33,402); Terrance A. Meador (Reg. No. 30,298); Ramsey R. Stewart (Reg. No. 38,322); June M. Learn (Reg. No. 31,238)**

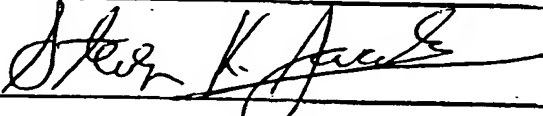
Attorney Docket Number: I0280-1100

All correspondence should be addressed to:

Patent Department  
Attn: Timothy W. Lohse  
GRAY CARY WARE & FREIDENRICH  
400 Hamilton Avenue  
Palo Alto, CA 94301-1825

All telephone calls should be directed to Timothy W. Lohse, phone number (650)320-7426.

Inventor's Full Name:	David Halpern
Inventor's Signature:	
Date:	September 9, 1999
Residence: (City, State and/or country)	Alpharetta, GA 30022
Citizenship:	USA
Post Office Address:	3270 Hartridge Drive

Inventor's Full Name:	Steven K. Jacobs
Inventor's Signature:	
Date:	September 7, 1999
Residence: (City, State and/or country)	New Canaan, CT 06840
Citizenship:	USA
Post Office Address:	100 Stoneleigh Road

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0149-280-710  
03-10-99  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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Washington, D.C. 20231

DECEMBER 01, 1999

GRAY CARY WARE & FREIDENRICH  
TIMOTHY W. LOHSE  
400 HAMILTON AVENUE  
PALO ALTO, CALIFORNIA 94301

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GRAY CARY  
WARE & FREIDENRICH

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/13/1999

REEL/FRAME: 010243/0350  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HALPERN, DAVID

DOC DATE: 09/09/1999

ASSIGNOR:

JACOBS, STEVEN K.

DOC DATE: 09/08/1999

ASSIGNEE:

ISOTRON, INC.  
3270 HARTRIDGE DRIVE  
ALPHARETTA, GEORGIA 30022

SERIAL NUMBER: 09394234  
PATENT NUMBER:

FILING DATE: 09/13/1999  
ISSUE DATE:

ANTIONE ROYALL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

09-22-1999

FORM PTO-1595  
U.S. DEPARTMENT OF COMMERCE  
1-31-92



101150611

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

David Halpern and Steven K. Jacobs

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of Conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name

Execution Date: 09/09/1999; 09/08/1999

## 2. Name and address of receiving party(ies):

Name: Isotron, Inc.

Street Address: 3270 Hartridge Drive  
Alpharetta, GA 30022

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: September 9, 1999 and September 7, 1999

09394234

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Timothy W. Lohse

Internal Address: GRAY CARY WARE & FREIDENRICH  
400 Hamilton Avenue  
Palo Alto, California 94301

## 6. Total number of applications

1

and patents involved:

## 7. Total fee (37 CFR 3.41) . . . . . \$ 40.00

☐ Enclosed☒ Authorized to be charged to deposit account8. Deposit account number: 07-1896

Please debit any underpayment or credit any overpayment to the above deposit account.

Our Order No. 2100280-991100

09/21/1999 JSHABAZZ 00000001 071896 09394234

01 FC:581 40.00 CH

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Timothy W. Lohse

Name of Person Signing

Signature

September 13, 1999

Date

Total number of pages comprising cover sheet: [ 4 ]

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

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10678 U.S. PTO  
09/394234  
09/13/99

## ASSIGNMENT

WHEREAS, David Halpern and Steven K. Jacobs have made certain inventions or discoveries (or both) set forth in an Application for Letters Patent of the United States of America entitled METHODS FOR TREATING SOLID TUMORS USING NEUTRON THERAPY, the specification of which:

X was executed by me on the date(s) indicated below and was filed herewith;

WHEREAS, Isotron, Inc., a corporation of the State of Delaware, and whose address is 3270 Hartridge Drive, Alpharetta, GA 30022 and who, together with its successors and assigns is hereinafter called "Assignee", is desirous of acquiring the entire right, title and interest together with the benefits and privileges hereinafter recited;

NOW, THEREFORE, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation;

1. Assign, transfer and convey to Assignee the entire right, title and interest together with the benefits and privileges in and to said inventions and discoveries, said Application for Letters Patent or similar forms of protection of the United States of America, and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and convention applications based in whole or in part upon said inventions or discoveries, or upon said application, and any and all Letters Patent, reissues and extensions of Letters Patent or similar forms of protection granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;

2. Authorize Assignee to file patent applications in any or all countries or groups of countries on any or all of said inventions and discoveries in our name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or any other relevant convention or treaty or otherwise;

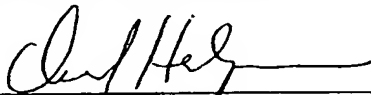
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein, or otherwise as Assignee may direct;

4. Warrant that we have not knowingly conveyed to others any rights in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;

5. Bind my heirs, legal representatives and assigns, as well as myself, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonable serving to assure that said inventions and discoveries, said patent applications and said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by me, my heirs, legal representatives and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to me relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in my control or in the control of my heirs, legal representatives or assigns which may be useful for establishing any facts of our conceptions, disclosures, and reduction to practice of said inventions or discoveries.

IN WITNESS WHEREOF:

Date I Executed Declaration/Power of Attorney in this Application: Sept 9, 1999

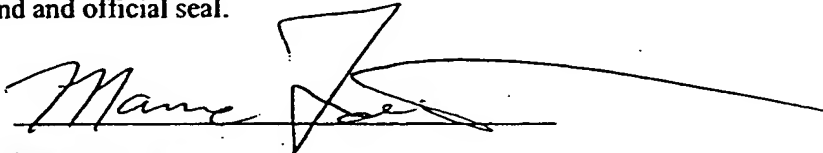


David Halpern

STATE OF <sup>GA</sup>CALIFORNIA )  
COUNTY OF DEKALB ) ss.

On 9/9/99 before me, Moe Fontaine, Notary Public, personally appeared David Halpern, personally known or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

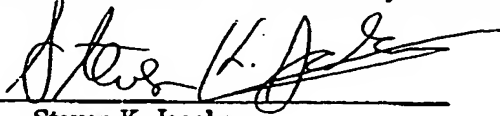


Notary Public

Notary Public, DeKalb County, Georgia  
My Commission Expires April 7, 2002

IN WITNESS WHEREOF:

Date I Executed Declaration/Power of Attorney in this Application: September 8, 1999



Steven K. Jacobs

STATE OF <sup>Connecticut</sup> CALIFORNIA )  
COUNTY OF <sup>Greenwich</sup> Fairfield ) ss. Greenwich

On 9/8/99 before me, DONALD MIGLIARDI, Notary Public, personally appeared Steven J. Jacobs, personally known or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Notary Public



DONALD MIGLIARDI  
Notary Public, Fairfield County  
My Commission Expires January 31, 2000